


Standard of Care and Compliance

Site Assessment and Mitigation
(SAM) Program

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Standard of Care and Compliance

- SAM Manual
- California Code of Regulations Title 16, Division 29, Article 3, Section 3065
- SAM Responsibility
- Responsible charge
- Enforcement



SAM Manual

- SAM Manual is a living document
- Details the minimum level of effort that should be seen on each project
- Recognized by the Board for Geologists and Geophysicists (BGG) as the Standard of Care for work performed in San Diego County



CCR Section 3065

- Professional standards for geologists
- Established to protect the health, safety and welfare of the public



SAM Responsibility

- SAM's aim was and is to assist the RP toward resolution of their case
- Lax in the past in accepting sub-standard work
- Staff bent over backwards to perform reviews and suggest edits



SAM Responsibility

- Resulted in huge amounts of time being spent by consultants and SAM staff to fix poor quality reports
- Staff were overwhelmed with case-load



SAM Responsibility

- The State fund was spending much more than necessary on cases
- Potentially put the County in the position of being in Responsible Charge.



Sub-Standard Work

- Preparing a work plan on a new project without reviewing available previous work
- Having field work performed by a sub-contractor who never sees the workplan and isn't familiar with SAM protocols.



Sub-Standard Work

- Presenting data, but drawing no conclusions
- Plotting data from the wrong site on the site map
- Plotting data on site maps and not contouring the data at all.



Sub-Standard Work

- Working on a project for 3 years, creating contour maps where gradient directions fluctuate wildly, and not recognizing that your “surveyed” wellhead elevations changed multiple times.



Sub-Standard Work

- Submitting twenty different types of contour maps for one set of data, and asking the County to pick which one is correct.
- Presenting data or findings as conclusions.



Sub-Standard Work

- Intentionally misleading SAM staff on field procedures in order to undercut the competition.
- Presenting reports that state that work was done generally in compliance with the SAM Manual, when, in fact, it was intentionally ignored.



Sub-Standard Work

- Ignoring recognized geologic principles in order to come up with a reason that the contamination is not your client's problem.



Sub-Standard Work

- Presenting no recommendations other than “Give it to the County, and see what they recommend we do next”



Responsible Charge

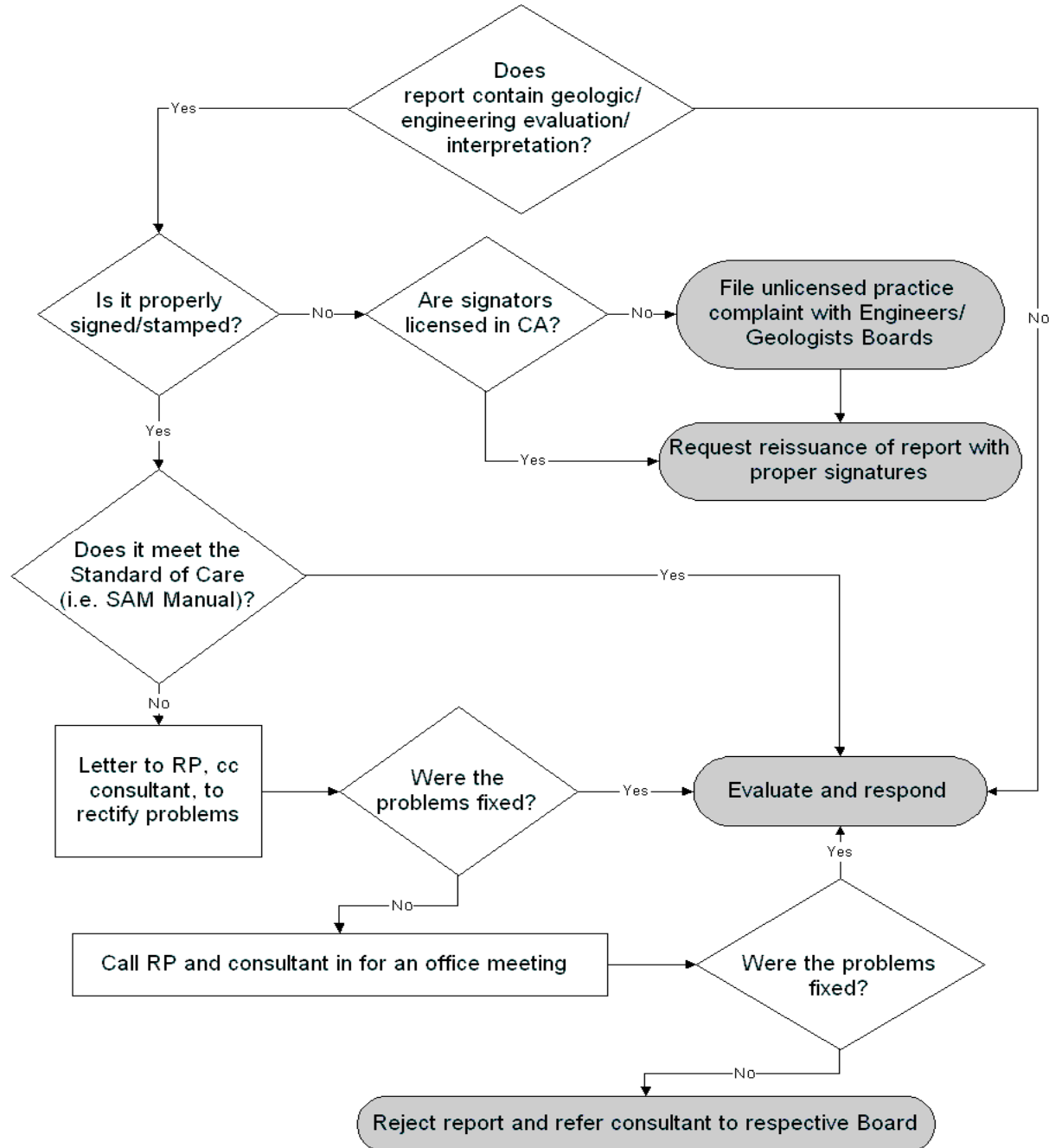
- By signing a report, the licensee takes full **personal** responsibility for the accuracy of the technical data and figures in that report.
- Complaints to the State Licensing Board are filed on the licensee, not the company that prepared the report.

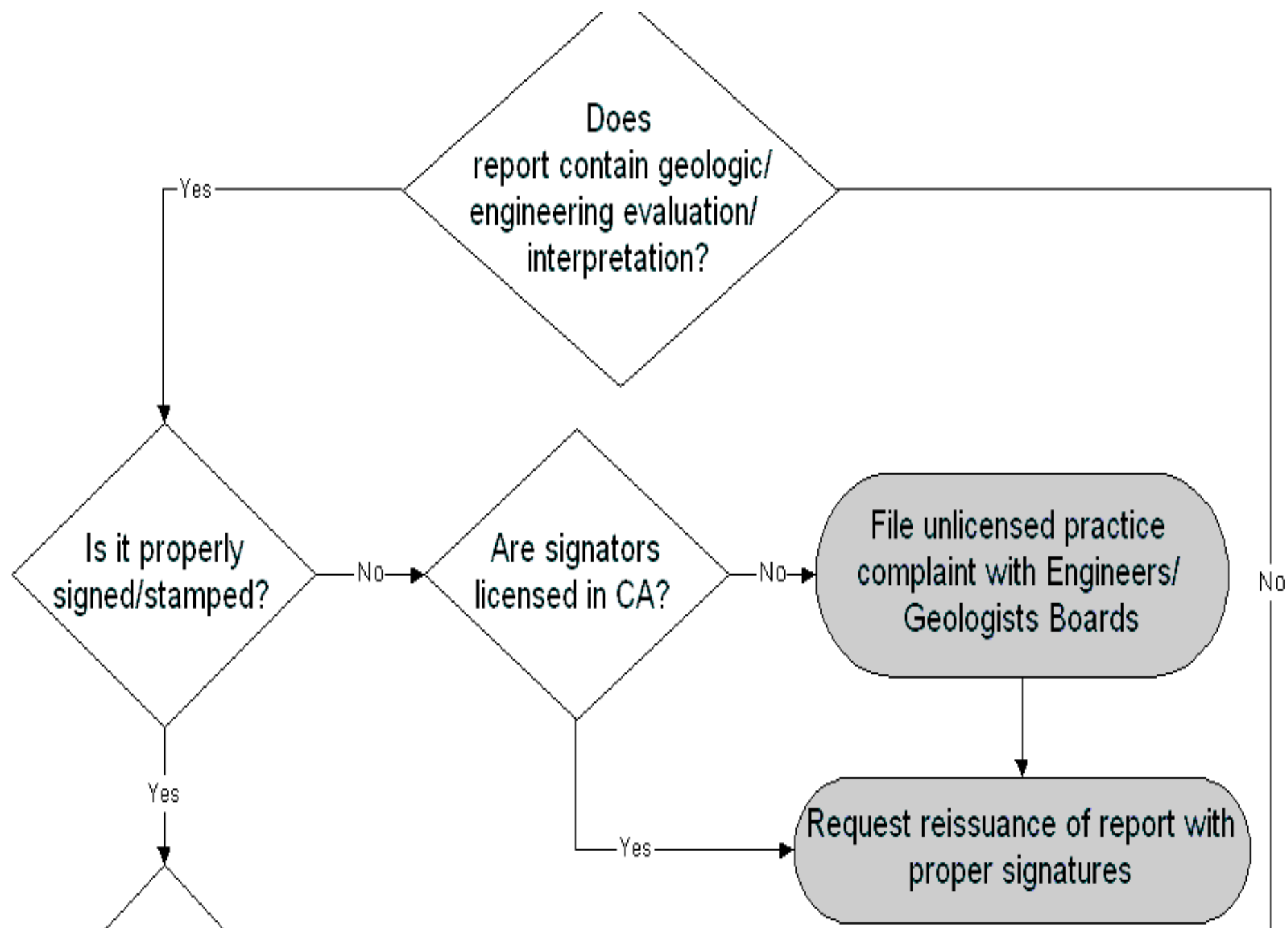


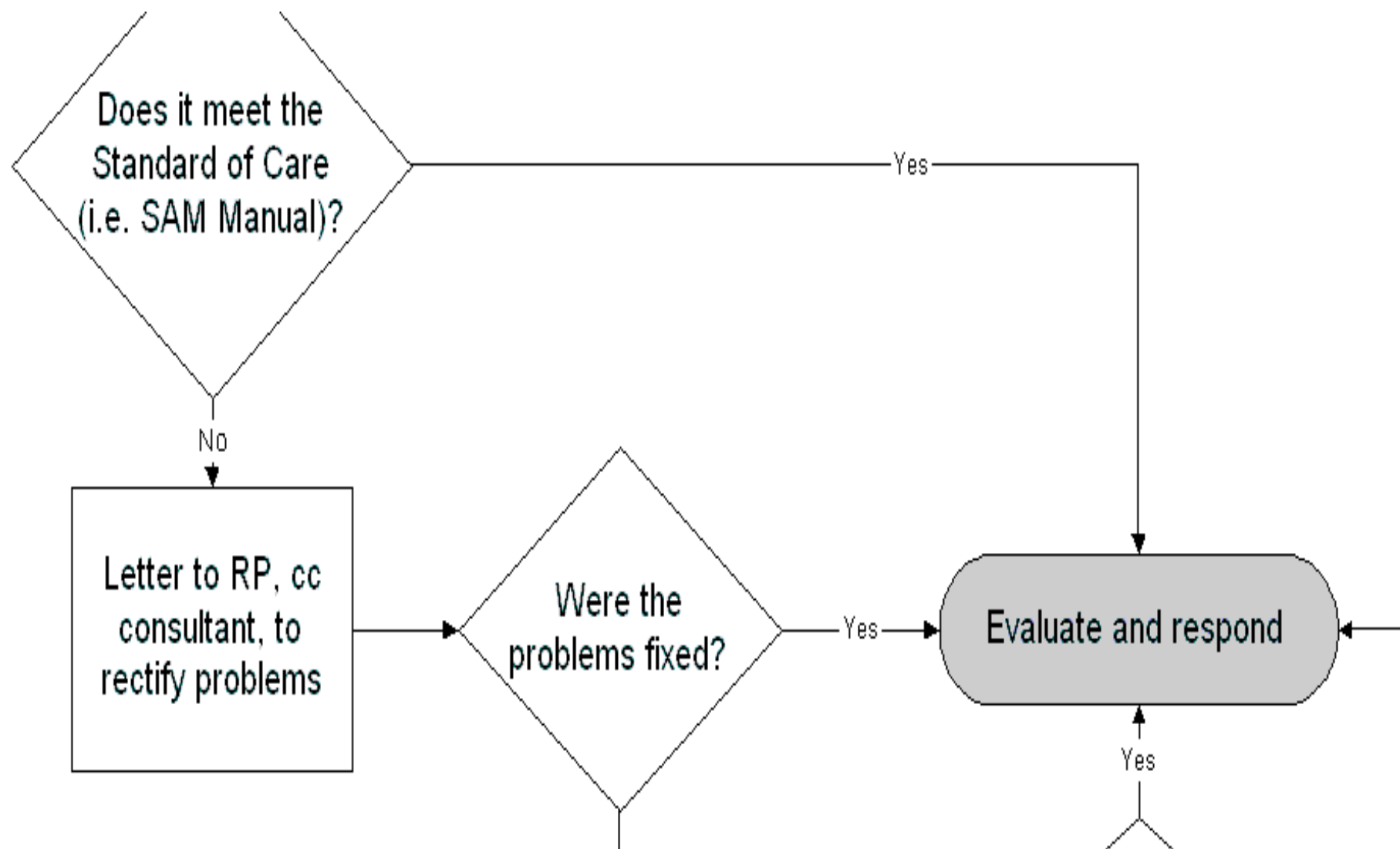
SAM Enforcement Process

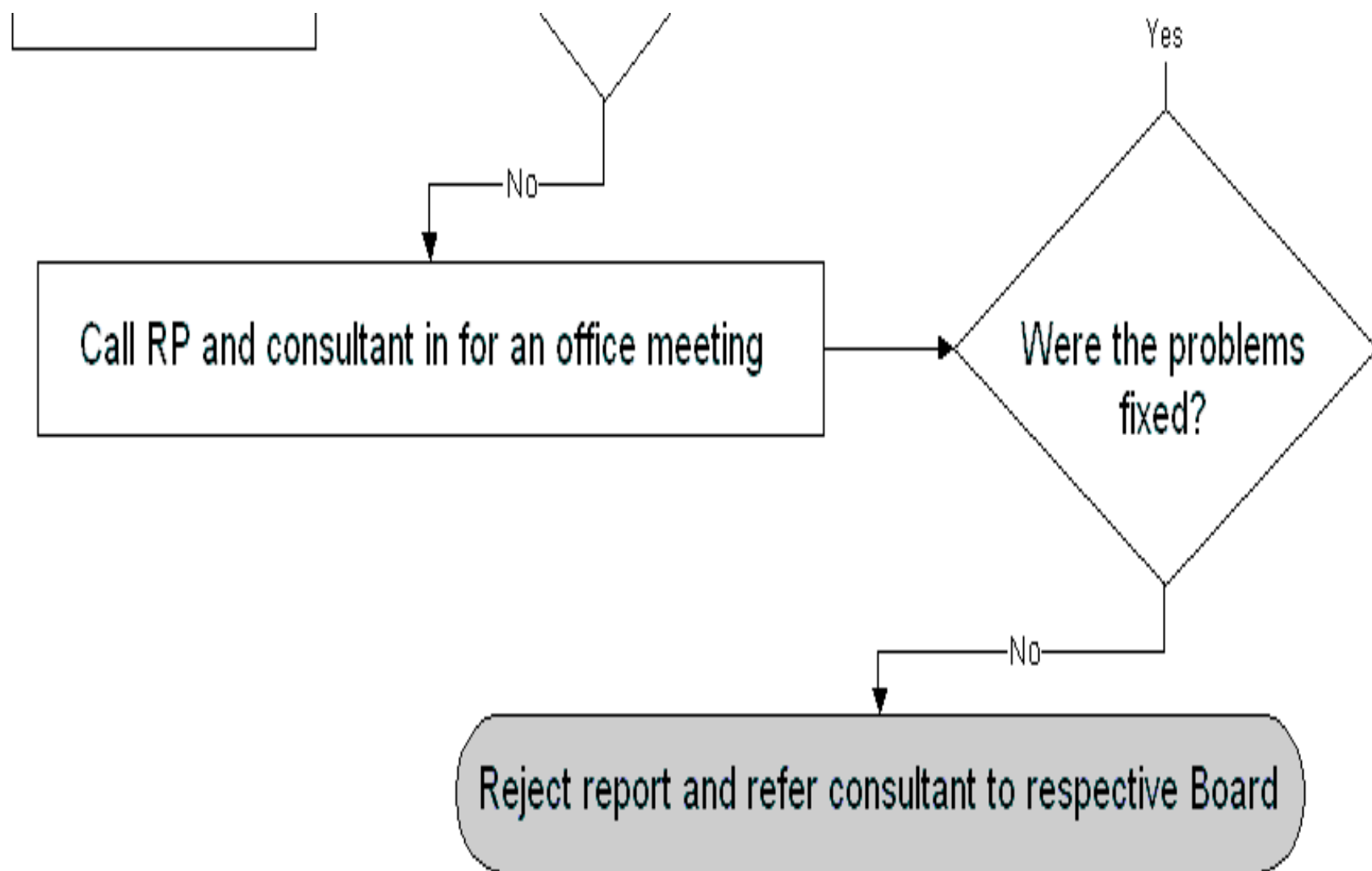
- Established more than five years ago
- Well-defined process for all cases
- Progressive process

SAM Professional Enforcement Decision Tree











SAM Referrals Since 2000

- 22 to Board for Geologists and Geophysicists
- 8 to Board for Professional Engineers and Land Surveyors



Summary

- SAM's responsibility is to protect public health and the environment.
- It is also SAM's responsibility to assist the RP in selecting a competent consultant.
- It is NOT SAM's responsibility to correct poor quality work of consultants.